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2
3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
5 AT TACOMA

6 JEFFREY L. WILSON,

7 Plaintiff,

8 v.

9 STATE OF WASHINGTON, et al.,

10 Defendants.

CASE NO. C16-5366 BHS

ORDER GRANTING
DEFENDANTS' MOTION FOR
PARTIAL SUMMARY
JUDGMENT

11 This matter comes before the Court on Defendants' pending motion for partial
12 summary judgment (Dkt. 57). The Court hereby grants the motion.

13 On June 14, 2017, Plaintiff filed his third amended complaint in this action. Dkt.
14 54. Plaintiff asserts 42 U.S.C. § 1983 claims against Washington State ("State"), the
15 Department of Social and Health Services ("DSHS"), Attorney General Bob Ferguson
16 ("Attorney General"), Dr. Leslie Sziebert ("Dr. Sziebert"), and John Does arising from
17 the length and conditions of his civil confinement. *Id.* Specifically, Plaintiff alleges that
18 he was deprived of adequate medical care while civilly committed and that it was
19 unconstitutional to confine him for approximately 12 years without obtaining a verdict at
20 trial. *Id.*

21 On June 29, 2017, Defendants moved for partial summary judgment. Dkt. 57. On
22 July 17, 2017, Plaintiff responded and moved for a continuance of summary judgment

1 proceedings until further discovery could be conducted. Dkt. 59. On August 23, 2017, the
2 Court granted Defendants' motion for summary judgment in part and reserved ruling in
3 part. Dkt. 70. In doing so, the Court reserved ruling on whether Plaintiff could support
4 claims against the Attorney General in his personal capacity and granted Plaintiff leave to
5 file supplemental briefing to oppose summary judgment on those claims. *Id.* at 6. The
6 Court also denied Plaintiff's motion to continue. *Id.*

7 On September 5, 2017, Plaintiff moved for reconsideration of the Court's order
8 granting in part Defendants' motion. Dkt. 71. On September 6, 2017, the Court denied
9 reconsideration. Dkt. 73.

10 On September 18, 2017, Plaintiff filed a statement of non-opposition to the
11 dismissal of his claims against the Attorney General. Dkt. 76. Accordingly, Defendants'
12 motion for summary judgment is **GRANTED** and the Plaintiff's claims against the
13 Attorney General are **DISMISSED**. Remaining before the Court is Plaintiff's § 1983
14 claim against Dr. Sziebert for allegedly "den[ying] plaintiff adequate medical care in
15 violation of his rights under the Due Process Clause of the Fourteenth Amendment." Dkt.
16 54 at 14.

17 **IT IS SO ORDERED.**

18 Dated this 23rd day of October, 2017.

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20 BENJAMIN H. SETTLE
21 United States District Judge
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